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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In PATENT Application of Serial HARRIS, Jr. et al. Application Serial No. 10/811,109

Filing Date:

March 26, 2004

Title: DEVIC

DEVICE AND SYSTEM FOR

MONITORING FOOD

Group Art Unit:

2635

Examiner:

Horabik, Michael

Dated: November 7, 2005

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

In accordance with the duty to disclose as set forth in 37 C.F. R. §1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. §1.98, a copy of each non-U.S. published patent application and non-U.S. issued patent document is enclosed.

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication, or other information referred to herein is "prior art". It is requested that the accompanying Information Disclosure Statement be considered and made of record in the above-identified pending patent application. For the benefit and convenience of the Examiner, the documents are listed on the attached form PTO-1449 (3 sheets). Pursuant to 37 C.F.R. §1.97(b)(3), no fee is due in conjunction with the filing of this Information Disclosure Statement as an Office Action on the merits has not yet been mailed in the above-identified application. However, in the event that there are any fee deficiencies or additional fees are payable, please charge any such fees (or credit any overpayment) to Deposit Account No. 50-3205.

It is respectfully requested that the Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

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PTO/SB/08A (07-05)

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Substitute for form 1449/PTO

Sheet 1

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(Use as many sheets as necessary)

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	Complete if Known				
	Application Number	10/811,109			
	Filing Date	March 26, 2004			
	First Named Inventor	Harris et al.			
	Art Unit	2635			
	Examiner Name	Horabik, Michael			
	Attorney Docket Number	33964/1080			

			U. S. PATEN	DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 6,065,391 B1	05-23-2000	Archard et al.	
		^{US-} 5,983,783 B1	11-16-1999	Archard et al.	
		US- 6,412,398 B1	07-02-2002	Norcross et al.	
		^{US-} 6,591,739 B2	07-15-2003	Norcross	
		^{US-} 6,811,308 B2	11-02-2004	Chapman et al.	
·		^{US-} 6,712,505 B2	03-30-2004	Chapman et al.	•
		^{US-} 6,568,848 B1	05-27-2003	Chapman et al.	
		^{US-} 6,759,635 B2	07-06-2004	Lile	
		^{US-} 5,964,517 B1	10-12-1999	Adams	
		^{US-} 6,539,842 B1	04-01-2003	Chapman et al.	
,		^{US-} 4,377,733 B1	03-22-1983	Yamaguchi et al.	
		^{US-} 4,471,354 B1	09-11-1984	Smith	
		^{US-} 4,475,024 B1	10-02-1984	Tateda	
		^{US-} 4,716,411 B1	12-29-1987	Nakamura	
		US- 5,938,619 B1	08-17-1999	Dogre	
		^{US-} 6,000,845 B1	12-14-1999	Tymkewicz et al.	
		^{US-} 6,043,461 B1	03-28-2000	Holling et al.	
		^{US-} 6,046,674 B1	04-04-2000	Irwin et al.	
		^{US-} 6,080,972 B1	06-27-2000	May	

FOREIGN PATENT DOCUMENTS							
Cite No.1	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines,	Π		
	Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T		
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	Cite No.1	No.1 Foreign Patent Document	Cite Foreign Patent Document Publication Date MM-DD-YYYY	No.1 Date Applicant of Cited Document	Cite Foreign Patent Document Publication Name of Patentee or Pages, Columns, Lines, No. Date Applicant of Cited Document Where Relevant Passages MM-DD-YYYY MM-DD-YYYY MM-DD-YYYY		

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Sheet 2

Attorney Docket Number

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 6,238,354 B1	05-29-2001	Alvarez	
		^{US-} 6,300,871 B1	10-09-2001	Irwin et al.	
		^{US-} 6,501,834 B1	12-31-2002	Milewski et al.	
		^{US-} 6,937,148 B2	08-30-2005	Irwin	
		^{US-} 6,591,739 B2	07-15-2003	Norcross	
		^{US-} 6,501,384 B2	12-31-2002	Chapman et al.	
		^{US-} 6,712,505 B2	03-30-2004	Chapman et al.	
		US-			
		^{US-} 2005-0157775 A1	07-21-2005	Chapman	
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FOREIGN PATENT DOCUMENTS							
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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	٣	
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